

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

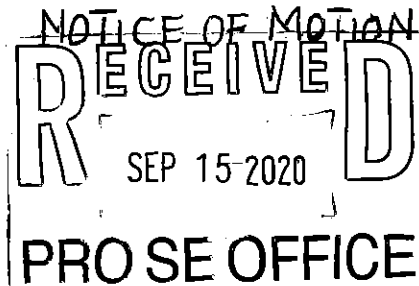
LIONEL MCCRAY, Plaintiff,

-v-

Superintendent William LEE, et al.,
Defendants.

MEMO ENDORSED

16-CV-1730(KMK)



NOTICE OF MOTION TO ENFORCE AND FINDING OF CONTEMPT

PLEASE TAKE NOTICE, that upon the annexed affirmation of Lionel MCCRAY, affirmed on September 10th, 2020, and upon the here in Supporting pleadings, Exhibits attached there to, Plaintiff respectfully move this Court pursuant to Fed. R. Civ. P. Rule 71, for an Order granting the Plaintiff's Motion to enforce the Stipulations of the Anderson v. Coughlin Consent decree regarding Green Haven Correctional facility against the defendants in the above entitled action, for a finding of fact regarding the defendants noncompliance and a finding of Contempt against the defendants pursuant to 18 U.S.C.A. § 401 and 402 and Fed. R. Civ. P. Rule 70.

Plaintiff further respectfully move this Court to issue an Order directing the defendants to show Cause, if any, why defendants should not be found in Contempt.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Marcy, New York
September 10th, 2020,

Signed: MCCRAY
Address: Marcy Correctional Facility
P.O. Box 3600, Marcy, N.Y.
13403

The Application is DENIED.

The Anderson v. Coughlin Consent Decree applies only to inmates in the Green Haven Correctional Special Housing Unit ("SHU"), (see Dkt. No. 112 at pp. 8-27), but Plaintiff does not allege he was ever incarcerated in the SHU. Moreover, Plaintiff is no longer incarcerated at the Green Haven facility. (See Dkt. No. 109.) The Clerk of Court is respectfully directed to terminate the pending Application, (Dkt. Nos. 101-02). So Ordered.

[Signature]

April 5, 2021